

**Minutes**  
**Bar Harbor Planning Board**  
**November 5, 2008**  
**Council Chambers – Municipal Building**  
**93 Cottage Street**

**I. CALL TO ORDER — 6:03 p.m.**

*Members present: Kay Stevens-Rosa, Chair; Kevin Cochary, Vice-Chair; Lynne Williams, Secretary. Also present: Anne Krieg, Planning Director; Kris Hultgren, Staff Planner*

**II. EXCUSED ABSENCES**

*Mr. Cochary moved to excuse Mr. Bowden from the meeting. Ms. Williams seconded and the Board voted unanimously to approve the motion.*

**III. ADOPTION OF THE AGENDA**

*Ms. Williams moved to adopt the agenda. Mr. Cochary seconded and the Board voted unanimously to approve the motion.*

**IV. APPROVAL OF MINUTES**

*Mr. Cochary moved to approve the minutes from the October 15 meeting. Ms. Williams seconded and the Board voted unanimously to approve the motion.*

**V. REGULAR BUSINESS**

**A. Completeness Review – SP-08-02 – Young’s Pier, LLC**

**Project Location:** 35 West Street, Bar Harbor Tax Map 102, Lot 102

**Applicant:** Young’s Pier, LLC

**Application:** Raze and reconstruct buildings and pier

Mr. Salvatore, representing the applicant, gave the Board an overview of the project. He specifically noted the deteriorating condition of the pier and the applicant’s plan to reconstruct the pier and structures on the pier as far out of the setback as possible.

Mr. Moore, representing the applicant, added that they are working to try and finalize the details of the plan. He noted some confusion on what the lot coverage is. The Board discussed lot coverage. The applicant plans to replicate the existing lot coverage.

Mr. Moore noted the requested waivers and mentioned that it is the applicant’s position that a stormwater plan and erosion plan are not required. He also noted that an erosion submission is required for the NRPA permit. The Board agreed to waive the requirement for an erosion control plan with the condition that any approval is conditional upon the erosion plan being approved as part of the NRPA permit.

Mr. Cochary asked about erosion control and the use of the property including the restaurant and the two dwelling units. Mr. Moore indicated that erosion is minimal on the site.

The Board and the applicant discussed the height of the proposed structures and Ms. Krieg noted that a survey is required to make sure the existing height is the same as the rebuilt structure. Ms. Krieg intends to seek DEP guidance with respect to height.

The Board and the applicant discussed a 5-foot easement to the abutting property but the applicant noted that the easement will not be affected as part of this application.

Ms. Krieg asked the applicant to include the high and low water lines and the 100-year floodplain as well as the height of the existing structures and pier height on the survey. The applicant agreed.

***Ms. Williams moved to grant the applicant's requested waivers that included an erosion plan, stormwater plan, traffic, lot coverage as well as exhibits 4c, 4e, 7d, 10, 11e, 7h, 17, 23. Mr. Cochary seconded and the board vote unanimously to approve the motion.***

***Mr. Cochary moved to find the application incomplete; however if the applicant submits the required documents by November 13 a public hearing will be scheduled for December 3. If the documents are not received by November 13 the applicant will be placed on the November 19 agenda for completeness. Ms. Williams second and the Board voted unanimously to approve the motion.***

## **VI. OTHER BUSINESS**

### **A. Discussion about Land Use Ordinance amendments for June 2009**

#### **Sign Ordinance**

Ms. Krieg reviewed the work of the Design Review Board on the proposed amendments to the sign ordinance. She noted a public workshop on November 13 to receive feedback.

Ms. Krieg updated the Board on the Economic Development Task Force work to rezone parts of downtown to better delineate business districts. She also noted plans to rework the standards for home occupations.

### **B. 2009 Planning Board Schedule**

The Board reviewed its proposed schedule for 2009. The only change was adding an additional meeting in January.

## **VII. PLANNING DIRECTOR'S REPORT**

## **VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

**IX. ADJOURNMENT – 7:31**

*Signed as approved:*

---

Lynne Williams, Secretary  
Planning Board, Town of Bar Harbor

Date